

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**CHRISTOPHER J. WALSH, as he is ADMINISTRATOR,  
CONSTRUCTION TEAMSTERS HEALTH AND  
WELFARE FUND and INTERNATIONAL  
BROTHERHOOD OF TEAMSTERS, LOCAL 379,  
Plaintiffs**

**C.A. No. 05-10010 EFH**

**vs.**

**HILEE, INC.,**

**Defendant**

**and**

**GIOIOSO BROS., INC. and THE MCCOURT  
CONSTRUCTION COMPANY, INC.,  
Reach-and-Apply Defendants**

**and**

**FLEET BANK,**


**Trustee**

**AFFIDAVIT OF CHRISTOPHER WALSH AS TO  
MILITARY SERVICE, INFANCY AND INCOMPETENCE**

1. My name is Christopher Walsh. I am the Administrator of the Construction Teamsters Health and Welfare Fund.
2. I make this affidavit pursuant to the provisions of the Soldiers' and Sailors' Civil Relief Act.
3. I have caused careful investigation to be made to ascertain whether Hilee, Inc., the above-named defendant, is within the military service of the United States, and have concluded on the basis of such investigation that it is not.

4. I have also caused careful investigation to be made to ascertain whether Hilee, Inc. is an infant or incompetent person, and have concluded on the basis of such investigation that it is not.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 26<sup>th</sup> DAY OF OCTOBER, 2005.

  
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Christopher Walsh

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Affidavit has been served by certified and first class mail upon the defendant Hilee, Inc. at 100 Tremont Street, Everett, MA 02149 this 31<sup>st</sup> day of October, 2005.

/s/ Gregory A. Geiman  
Gregory A. Geiman, Esquire